

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MICHIGAN  
NORTHERN DIVISION

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JAMES CASE #443679,

Plaintiff,

v.

Case No. 2:09-CV-275

HON. GORDON J. QUIST

ROBERT NORTON, et al.,

Defendants.

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**ORDER AND JUDGMENT**  
**APPROVING REPORT AND RECOMMENDATION**

The Court has reviewed the Report and Recommendation filed by the United States Magistrate Judge in this action. The Report and Recommendation was mailed to Plaintiff on February 9, 2011. On February 15, 2011, the Court received a letter from Plaintiff inquiring as to the status of his case and listing a different address from that on file with the Court. The Report and Recommendation was mailed to the new address on February 25, 2011. No objections have been filed pursuant to 28 U.S.C. § 636(b)(1)(C).

**THEREFORE, IT IS ORDERED** that the **Report and Recommendation** of the Magistrate Judge, filed February 9, 2011, is approved and adopted as the Opinion of the Court. Defendants' motion for **summary judgment (docket no. 13) is GRANTED**. Plaintiff's claims under 42 U.S.C. § 1983 are dismissed for failure to exhaust administrative remedies pursuant to 42 U.S.C. § 1997e(a).

**IT IS FURTHER ORDERED** that there is no good-faith basis for appeal within the meaning of 28 U.S.C. § 1915(a)(3). *See McGore v. Wrigglesworth*, 144 F.3d 601, 611 (6th Cir. 1997).

This case is **concluded**.

Dated: March 23, 2011

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/s/ Gordon J. Quist  
GORDON J. QUIST  
UNITED STATES DISTRICT JUDGE